

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Abingdon Division**

RICHARD BALL and
PATRICIA BALL

Plaintiffs,

v.

Case No. 1:23-cv-00006-RSB-PMS

WELLS FARGO BANK, NATIONAL
ASSOCIATION,

Defendant.

**WELLS FARGO BANK, N.A.'S
MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

Defendant Wells Fargo Bank, N.A., ("Wells Fargo), by counsel, pursuant to Rule of Civil Procedure 12(b)(6) and Local Civil Rule 11, moves to dismiss with prejudice all claims in the Complaint (ECF 1) filed by Plaintiffs Richard Ball and Patricia Ball, for the reasons stated in its contemporaneously-filed memorandum.

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Court grant this Motion, dismiss the Complaint with prejudice, and award Wells Fargo any such further relief that is just and proper.

Dated: October 3, 2023

Respectfully submitted,

WELLS FARGO BANK, N.A.

/s/ Alison Ross Ellis

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of October, 2023, I have electronically filed the foregoing using the CM/ECF system, which will automatically send e-mail notification of such filing to all counsel of record, including the following:

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